

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MARK VON ROSING, and
VALUE TEAMS APS,
Plaintiffs,**

v.

**SAP AG,
SAP AMERICA, INC.,
DOES I THROUGH X,
ROE ENTITIES XI THROUGH XX,
Defendants.**

CIVIL ACTION

NO. 13-6022

ORDER

AND NOW, this 18th day of March, 2014, upon consideration of Motion of Defendant SAP America, Inc. to Dismiss Counts B Through I of the Complaint and to Strike Defendants Does I Through X and Roe Entities XI Through XX (Document No. 23, filed December 20, 2013), Plaintiffs' Memorandum of Law in Opposition to Defendant's Motion to Dismiss and/or to Strike (Document No. 25, filed January 24, 2014), Reply Memorandum of Law in Support of the Motion of Defendant SAP America, Inc., to Dismiss Counts B Through I of the Complaint and to Strike Defendants Does I Through X and Roe Entities XI Through XX (Document No. 27, filed February 7, 2014), and Plaintiffs' Sur-Reply Memorandum of Law in Opposition to Defendants' Motion to Dismiss and/or Strike (Document No. 29, filed February 21, 2014), for the reasons set forth in the Memorandum dated March 18, 2014, **IT IS ORDERED** that defendant SAP America, Inc.'s Motion to Dismiss and to Strike is **GRANTED IN PART AND DENIED IN PART**, as follows:

1. That part of defendant's Motion seeking dismissal of plaintiffs' claims for Misappropriation of Ideas, Fraudulent Misrepresentation, and Negligent Misrepresentation is **GRANTED** and plaintiffs' claims for Misappropriation of Ideas, Fraudulent Misrepresentation,

and Negligent Misrepresentation are **DISMISSED WITHOUT PREJUDICE** to plaintiffs' right to file, within twenty (20) days, an amended complaint if warranted by the facts and applicable law;

2. Defendant's Motion is **DENIED** in all other respects.

IT IS FURTHER ORDERED that the parties, through counsel, shall jointly report to the Court on or before April 8, 2014, with respect to the status of defendant, SAP AG, in the case. Once that status is resolved, the Court will schedule a preliminary pretrial conference.

BY THE COURT:

/s/ Hon Jan E. DuBois
DuBOIS, JAN E., J.